

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
JUDITH SHEPHARD : ORDER OF REVOCATION

DOCKET NO. 336-03/96-84

At its meeting of March 28, 1996, the State Board of Examiners reviewed the information provided it from the North Carolina Department of Public Instruction concerning the September, 1995 revocation of Judith Shephard's teaching license in that State due to her guilty plea on May 2, 1994 to felonious possession of cocaine and resisting arrest.

At that meeting the State Board of Examiners voted that said conviction constituted sufficient grounds to issue an Order to Show Cause to Judith Shephard, due to the nature and level of the offense. The Order to Show Cause was mailed to the address provided by the North Carolina Department of Public Instruction by regular and certified mail on April 9, 1996. Both copies of the Order were returned stating that the address was unknown.

The North Carolina Division of Motor Vehicles provided a new address for Ms. Shephard and on June 10, 1996 the Show Cause Orders were forwarded to the new address. Both copies of the order were returned specifying that there was no such address and the address was unknown.

At its meeting of April 3, 1997, the State Board of Examiners voted unanimously to publish notification of the Order to Show Cause in a newspaper. Said notice was published in the Home News and Tribune on April 20, 1997 and April 27, 1997 and provided that if Judith Shephard desired to file an Answer to said Order such answer must be filed within twenty (20) days. Twenty (20) days elapsed without an answer having been filed by or on behalf of Judith Shephard.

It is therefore ORDERED that said charges are deemed admitted for the purpose of this proceeding. School law cases have traditionally recognized the right of the State Board of Examiners to

revoke licensure where the teacher was involved in criminal activities, even if said activities were not related to the classroom, see Cox v. State Board of Examiners (App. Div. Docket No. A-3527-81T3) (November 18, 1983); State Board of Examiners v. Krupp, 3 N.J.A.R. 285 (1981). The use of drugs and the possession of drugs are inconsistent with the State's policy to eliminate drug abuse in the schools, In the Matter of the Tenure Hearing of David Earl Humphreys, 1978 S.L.D. 689. Misuse of dangerous drugs by students themselves, or by the role models to whom students look for guidance, will not be tolerated under any circumstances. In the Matter of the Certificate of Barbara Corwick, OAL Docket No. EDE 3562-87, State Board of Examiners decision (March 24, 1988).

Accordingly, in light of this State's strong policy opposing the use of illegal drugs, the State Board of Examiners finds respondent's North Carolina conviction conduct unbecoming a license holder. The appropriate penalty for her unbecoming conduct is the revocation of respondent's New Jersey licensure.

It is, therefore, ORDERED that, the State Board of Examiners having reviewed the charges and having found that said charges warrant revocation of Judith Shephard's New Jersey Teacher of Art license, said license is hereby revoked on this 25th day of September, 1997.

It is further ORDERED that Judith Shephard return her license to the Secretary of the State Board of Examiners, Office of Licensing, P.O. Box 500, Trenton, NJ 08625-0500 within fourteen (14) days of receipt of this letter.

Secretary
State Board of Examiners

Date of Mailing: October 8, 1997

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

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